

Amendment No. 1 to HB0392

Vaughan

Signature of Sponsor

AMEND Senate Bill No. 1289

House Bill No. 392*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 62-32-303, is amended by inserting the following as a new subdivision:

() "Battery-charged security fence":

(A) Means an alarm system, and ancillary components or equipment attached to such system, that:

(i) Interfaces with a monitored alarm system in a manner that enables the alarm system to transmit a signal intended to notify the entity responsible for monitoring the alarm system or summon law enforcement in response to an intrusion or burglary;

(ii) Is located on property that is not designated by a municipality or county exclusively for residential use;

(iii) Has an energizer that:

(a) Is powered by a commercial storage battery that is not more than twelve (12) volts of direct current; and

(b) Meets the standards set forth by the most recent version of the International Electrotechnical Commission Standard 60335-2-76, or its successor standard;

(iv) Is completely surrounded by a non-electric perimeter fence or wall that is not less than five feet (5') in height;

(v) Does not exceed ten feet (10') in height, or two feet (2') higher than the non-electric perimeter fence or wall described in subdivision

() (A)(iv), whichever is higher; and

(vi) Is marked with conspicuous warning signs that are located on the battery-charged fence at intervals of no more than thirty feet (30') and that read: "WARNING - ELECTRIC FENCE"; and

(B) Includes, but is not limited to, a fence, a battery-operated energizer intended to periodically deliver voltage impulses to the connected fence, and a battery-charging device used exclusively to charge the battery for the energizer;

SECTION 2. Tennessee Code Annotated, Section 62-32-321, is amended by adding the following as a new subsection:

(i) Notwithstanding another law, a municipality or county shall not adopt or enforce an ordinance, order, or regulation that:

(1) Requires a permit or fee for the installation or use of a battery-charged security fence that is in addition to an alarm system permit issued by the municipality or county;

(2) Imposes installation or operational requirements for a battery-charged security fence that are inconsistent with the requirements provided in § 62-32-303; or

(3) Prohibits the installation or use of a battery-charged security fence.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.